

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION**

**KENNY FRANKLIN EDMONSON**

**PLAINTIFF**

**V.**

**NO. 3:10CV103-B-A**

**JOSH DALE, et al.**

**DEFENDANTS**

**FINAL JUDGMENT**

Upon consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated September 12, 2011, was on that date duly served by mail upon Plaintiff and Defendants at their last known addresses; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection to the Report and Recommendation has been served or filed by any party. The court is of the opinion that the Magistrate Judge's Report and Recommendation should be approved and adopted as the opinion of the court. Therefore, it is

**ORDERED:**

(1) the Report and Recommendation of the United States Magistrate Judge dated September 12, 2011, is hereby APPROVED and ADOPTED as the opinion of the court;

(2) the complaint is dismissed for failure to state a claim upon which relief may be granted;  
and

(3) this matter is CLOSED.

THIS the 2<sup>nd</sup> day of November, 2011.

s/Neal Biggers  
NEAL B. BIGGERS  
UNITED STATES DISTRICT JUDGE